

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

UNITED STATES OF AMERICA

CRIMINAL NO. 03-50029-02

VERSUS

JUDGE S. MAURICE HICKS, JR.

DONOVAN BARRINGTON MCCLUNE

AMENDED ORDER

Because of the recent revision to the base offense levels for crack cocaine, Section 2D1.1 of the United States Sentencing Guidelines, this matter has been considered for re-calculation of sentence pursuant to 18 U.S.C. § 3582(c)(2).

The United States Probation Office reviewed and issued on February 11, 2008, to the Office of the Federal Public Defender and the United States Attorney's Office a re-calculation of the Defendant's range of imprisonment. Both the Office of the Federal Public Defender and the United States Attorney's Office filed a response.

Having reviewed the Probation Officer's re-calculation of the applicable Guideline range of imprisonment, the response thereto, and the record in this matter, including the Pre-Sentence Report and Defendant's sentencing memorandum requesting a comparable reduction, the Court finds, in its discretion, that the Defendant's sentence shall not be reduced further. On remand and in compliance with the directive of the Fifth Circuit, the Court notes that it has, in fact, duly considered the factors under 18 U.S.C. § 3553(a) in reaching both its previous and current decisions to deny the sentence reduction. The Court reiterates its previous decision.

THUS DONE AND SIGNED, in Shreveport, Louisiana, this 19th day of May, 2011.



S. MAURICE HICKS, JR.
UNITED STATES DISTRICT JUDGE